vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1370 OF 2007
IN
CRIMINAL APPEAL NO. OF 2007

The State of Maharashtra ... Appellant

V/s.

Ramkisan Gangaram Pawar & Ors. ... Respondents

Mr.D.R. More, APP, for Appellant

CORAM: **D.G. DESHPANDE &**
SMT.NISHITA MHATRE, JJ.

DATED: **JUNE 12, 2007**

P.C.:

. Heard Mr.More, learned APP, for the State. This is an application for leave to appeal against the acquittal of accused Nos.2 and 4. Accused No.3 has been convicted. The role attributed to accused No.2 was that he was holding the deceased and accused No.4 sat on the chest while accused No.3 assaulted the deceased with a wooden stick. From this type of evidence, the trial Court refused to convict accused Nos.2 and 4, particularly when there was strong enimity between the accused and the complainant. We do not find any perversity in the judgment of the trial Court and, therefore, no interference is called for. Leave refused. Application rejected.

(SMT.NISHITA MHATRE, J.) (D.G. DESHPANDE, J.)